



PUBLIC NOTICE

Federal Communications Commission
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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON QWEST WIRELESS PETITION FOR LIMITED WAIVER OF DATE BY WHICH DIGITAL WIRELESS SYSTEMS MUST BE CAPABLE OF TRANSMITTING 911 CALLS FROM TTY DEVICES

CC DOCKET NO. 94-102

Comments Due: April 25, 2002

Reply Comments Due: May 6, 2002

In the *Fourth Report and Order* in the Enhanced 911 (E911) proceeding, the Commission established June 30, 2002, as the deadline by which digital wireless service providers must be capable of transmitting 911 calls using TTY devices.¹ On March 18, 2002, Qwest Wireless, LLC, and TW Wireless (collectively, "Qwest") filed with the Commission a Petition for Extension of Time or Waiver of Section 20.18 of the Commission's rules to extend its digital-TTY deployment deadline until December 31, 2002, for a portion of its system. The Wireless Telecommunications Bureau seeks comment on this petition.

Qwest utilizes Lucent network infrastructure equipment in the majority of its markets, covering approximately 81 percent of all usage over its network.² In these markets, Qwest has scheduled testing of Lucent's digital-TTY compliant products for April 3-19, 2002, and anticipates meeting the June 30, 2002, compliance deadline of Section 20.18(c). However, in the remaining markets, Qwest utilizes the Open A or open wireless architecture based on the A interface of the TIA/EIA-41 standard network model. Because the open architecture allows Qwest to select different vendors for each class of component, Qwest asserts that it must work closely with each vendor to ensure interoperability among the various components. Qwest states that Ericsson, the provider of base station controllers in the Open A markets, had originally scheduled the general availability of the necessary 8.6 release software upgrade for February 15, 2002, but this date has slipped to May 28, 2002. Qwest states that, based on these developments, it will require a six-month extension beyond the June 30, 2002, deadline in order to identify and address any potential reliability and interoperability concerns.

Unless otherwise provided, requests for waiver of the Commission's Rules are subject to treatment by the Commission as restricted proceedings for *ex parte* purposes under Section 1.1208 of the Commission's Rules, 47 C.F.R. § 1.1208. Because of the policy implications and potential impact of this proceeding on

¹ Revision of the Commission's Rules To Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket No. 94-102, Fourth Report and Order, 15 FCC Red 25216, 25218 (2000) (*Fourth Report and Order*). See also 47 C.F.R. § 20.18(c) and accompanying note (2001).

² Qwest also notes that the portion of its network that utilizes Lucent infrastructure serves 81.6 percent of its subscriber base. See Qwest Wireless, LLC and TW Wireless, LLC Petition for Extension of Time or Waiver of Section 20.18 of the Rules, CC Docket No. 94-102 (filed March 18, 2002) ("Petition") at Attachment A-2.

persons not parties to the waiver requests, we believe it would be in the public interest to treat this case as a permit-but-disclose proceeding under the *ex parte* rules. See Sections 1.1200(a), 1.1206 of the Commission's Rules, 47 C.F.R. §§ 1.1200(a), 1.1206. Therefore, subsequent to the release of this *Public Notice*, *ex parte* presentations that are made with respect to the issues involved in the subject waiver requests will be allowed but must be disclosed in accordance with the requirements of Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b).

Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before April 25, 2002, and reply comments on or before May 6, 2002. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies.³ Comments filed through the ECFS can be sent as an electronic file via the Internet to <<http://www.fcc.gov/e-file/ecfs.html>>. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, commenters should include their full name, Postal Service mailing address, and the applicable docket number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to ecfs@fcc.gov, and should include the following words in the body of the message, "get form <your e-mail address>." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. All filings must be addressed to the Commission's Acting Secretary, William F. Caton, Office of the Secretary, Federal Communications Commission, 445 12th Street, SW, Washington, D.C. 20554. Filings can be sent first class by the U.S. Postal Service, by an overnight courier or hand and messenger-delivered. Hand and messenger-delivered paper filings must be delivered to 236 Massachusetts Avenue, N.E., Suite 110, Washington, DC 20002. Overnight courier (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. In addition, a diskette copy should be sent to the Commission's copy contractor, Qualex International, Portals II, 445 12th Street, S.W., Room CY-B402, Washington, DC, 20554, telephone 202-863-2893, facsimile 202-863-2898, or via e-mail qualexint@aol.com.

The full text of the waiver petition, comments and reply comments will be available for public inspection and copying during regular business hours at the FCC Reference Information Center, Portals II, 445 12th Street, SW, Room CY-A257, Washington, DC, 20554. These documents may also be purchased from the Commission's duplicating contractor. Alternative formats (computer diskette, large print, audio recording and Braille) are available to persons with disabilities by contacting Brian Millin, of the Consumer Information Bureau, at (202) 418-7426 (voice) or (202) 418-7365 (TTY), or at bmillin@fcc.gov. This Public Notice can also be downloaded in Text and ASCII formats at: <http://www.fcc.gov/cib/dro>. For further information concerning this proceeding, contact Mindy Littell, Policy Division, Wireless Telecommunications Bureau, at (202) 418-1310 (voice) or (202) 418-1169 (TTY).

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³ See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998).